

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

2 Sean Pak (Bar No. 219032)

3 seanpak@quinnemanuel.com

4 Melissa Baily (Bar No. 237649)

5 melissabaily@quinnemanuel.com

6 James Judah (Bar No. 257112)

7 jamesjudah@quinnemanuel.com

8 Lindsay Cooper (Bar No. 287125)

9 lindsaycooper@quinnemanuel.com

10 Iman Lordgooei (Bar No. 251320)

11 imanlordgooei@quinnemanuel.com

12 50 California Street, 22nd Floor

13 San Francisco, California 94111-4788

14 Telephone: (415) 875-6600

15 Facsimile: (415) 875-6700

16 Marc Kaplan (*pro hac vice*)

17 marckaplan@quinnemanuel.com

18 191 N. Wacker Drive, Ste 2700

19 Chicago, Illinois 60606

20 Telephone: (312) 705-7400

21 Facsimile: (312) 705-7401

22 *Attorneys for GOOGLE LLC*

23 UNITED STATES DISTRICT COURT

24 NORTHERN DISTRICT OF CALIFORNIA

25 SAN FRANCISCO DIVISION

26 SONOS, INC.,

27 Plaintiff and Counter-
28 Defendant,

29 vs.

30 GOOGLE LLC,

31 Defendant and Counter-
32 Claimant.

Case No. 3:20-cv-06754-WHA

Related to Case No. 3:21-cv-07559-WHA

**GOOGLE LLC'S THIRD AMENDED
RULE 26(a)(3) WITNESS LIST**

1 Google LLC (“Google”) hereby provides its third amended witness list pursuant to Federal
2 Rule of Civil Procedure 26(a)(3) and paragraphs 1 and 2(a) of the Guidelines for Trial and Final
3 Pretrial Conference in Civil Jury Cases Before the Honorable William Alsup.

4 Google identifies the name and, if not previously provided, the address, telephone number,
5 and anticipated testimony of each witness it may present at trial other than solely for impeachment
6 — separately identifying those Google expects to present and those it may call if the need arises.
7 The inclusion of a witness on Google’s list of potential witnesses does not represent that Google
8 will call (or otherwise require that Google calls) that witness to testify, does not constitute a
9 representation that Google will bring an identified potential witness to trial, and does not mean that
10 Google has the power to compel the attendance or live testimony of that potential witness. Google’s
11 listing of potential witnesses and designations of deposition testimony is also made based on
12 Google’s present understanding of the trial date, the availability of potential witnesses, and the
13 issues. In the event that an individual whom Google identified as a potential witness is not available
14 for trial or otherwise cannot testify in person, Google may designate a replacement witness to testify
15 either in person or by deposition, and will provide reasonable notice to Sonos, Inc. (“Sonos”).

16 Google reserves the right to call any witness on any of Sonos’s witness lists. Google further
17 reserves the right to supplement this list based on discovery not yet taken in the case. Google also
18 reserves the right to call rebuttal witnesses who are not listed below to testify at trial either in person
19 or by deposition in response to the testimony offered by Sonos and/or with respect to any defenses
20 or issues on which Sonos bears the burden of proof. Google reserves the right to call additional
21 witnesses to testify at trial either in person or by deposition to provide foundation testimony should
22 any party contest the authenticity or admissibility of any material proffered at trial. After the parties
23 exchange objections to such materials, Google will address this issue with Sonos and/or the Court,
24 and will provide notice of any additional witnesses it will or may call to establish the authenticity
25 and admissibility of materials to be proffered at trial.

26 After the parties complete their pretrial exchanges and the Court rules on motions or other
27 disputes that are presented during pretrial, Google reserves the right to further clarify the witnesses
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it will call and whether the respective witnesses will provide their testimony in person or by deposition.

I. WITNESSES GOOGLE WILL PRESENT AT TRIAL

| Name | Contact Information | Substance of Testimony |
|----------------------|--|--|
| Christopher Bakewell | May be reached through counsel for Google. | Mr. Bakewell will provide non-cumulative testimony regarding damages for infringement of U.S. Patent Nos. 10,469,966 (“’966 patent”) and 10,848,885 (“’885 patent”). |
| Chris Chan | May be reached through counsel for Google. | Mr. Chan may provide non-cumulative testimony concerning the design, development, and usage of the accused functionalities as well as the marketing of accused media players. Google further identifies the subjects of the Rule 30(b)(6) topic(s) for which Mr. Chan was designated as Google’s corporate witness. |
| Ken Mackay | May be reached through counsel for Google. | Mr. Mackay will provide non-cumulative testimony regarding the origin of speaker grouping, the design of Google’s speaker grouping, and the availability, acceptability, and implementation of non-infringing alternative designs. Google further identifies the subjects of the Rule 30(b)(6) topic(s) for which Mr. Mackay was designated as Google’s corporate witness. |
| Tavis MacLellan | May be reached through counsel for Google. | Mr. MacLellan may provide non-cumulative testimony concerning the design and development of the accused grouping functionality and concerning Cast SDK and stream transfer. |
| Justin Pedro | May be reached through counsel for Google. | Mr. Pedro may provide non-cumulative testimony concerning the design, |

| Name | Contact Information | Substance of Testimony |
|-------------------|--|---|
| | | development, and features of the accused Google Home software. |
| Dr. Dan Schonfeld | May be reached through counsel for Google. | Dr. Schonfeld will provide non-cumulative testimony regarding the non-infringement, invalidity, non-infringing alternatives, usage and/or value of the '966 and '885 patents, and the technical comparability of certain patent agreements. |

II. WITNESSES GOOGLE MAY PRESENT AT TRIAL IF THE NEED ARISES

| Name | Contact Information | Substance of Testimony |
|-----------------|---|---|
| Tim Kowalski | May be reached through counsel for Google. | Mr. Kowalski may provide non-cumulative testimony regarding Google's licenses, licensing negotiations, and licensing policy. |
| Alaina Kwasizur | May be reached through counsel for Sonos. | Non-cumulative testimony regarding Sonos's licensing and Sonos's notification of asserted patents. |
| Logitech Inc. | Last known address: 7700 Gateway Boulevard Newark, California 94560 | Logitech may provide non-cumulative testimony concerning Logitech prior art related to the '966 and '885 patents. |
| Michael Maigret | May be reached through counsel for Google. | Mr. Maigret may provide non-cumulative testimony concerning financial information for the accused hardware products and applications and employee compensation information. |
| Tomer Shekel | May be reached through counsel for Google. | Mr. Shekel may provide non-cumulative testimony concerning Google's multizone technology and disclosure to Sonos. |

1 **III. WITNESSES WHO MAY TESTIFY BY DEPOSITION**

2 The following witnesses may testify by deposition:

3 Jeffrey Armstrong

4 Chris Butts

5 Tad Coburn

6 Keith Corbin

7 Graham Farrar

8 Brandon Kennedy

9 Robert Lambourne

10 Nick Millington

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12 DATED: May 8, 2023

QUINN EMANUEL URQUHART & SULLIVAN, LLP

13
14 By /s/ Sean Pak

15 Sean Pak

16 Attorneys for Google LLC
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who have consented to electronic service are being served with a copy of this document via email on May 8, 2023.

/s/ Lana Robins
Lana Robins